

# EXHIBIT J

# United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL DIVISION - 6 PM 2:41

VENUE: SAN FRANCISCO

CR 06 0241  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

V.

MAXIMILIANO LOPEZ-PEREZ,

E-Filing

DEFENDANT.

## INDICTMENT

VIOLATION: 8 U.S.C. § 1326--Illegal Reentry by an Alien After Deportation

A true bill.

*Raymond D. [Signature]*

Foreman

Filed in open court this 6<sup>th</sup> day of  
April, 2008

Clerk

Bail, \$

*no bail amount word*

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING

**OFFENSE CHARGED**

Title 8, United States Code, Section 1326 --  
 Illegal Reentry Following Deportation

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

E-Filing

**PENALTY:**

20 years imprisonment; \$250,000 fine; \$100 Special  
 Assessment; 3 years supervised release

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

**ICE**

☐ person is awaiting trial in another Federal or State  
 Court, give name of court

☐ this person/proceeding is transferred from another  
 district per (circle one) FRCrP 20, 21 or 40. Show  
 District

☐ this is a re-prosecution of  
 charges previously dismissed  
 which were dismissed on  
 motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a  
 pending case involving this same  
 defendant

☐ prior proceedings or appearance(s)  
 before U.S. Magistrate regarding  
 this defendant were recorded under

SHOW  
 DOCKET NO.

MAGISTRATE  
 CASE NO.

Name and Office of Person  
 Furnishing Information on  
 THIS FORM

KEVIN V. RYAN

☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y  
 (if assigned)

NAHLA RAJAN

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO VENUE

DEFENDANT - CR. 2:41

MAXIMILIANO LOPEZ PEREZ

NORTHERN DISTRICT OF CALIFORNIA

DISTRICT COURT NUMBER

06 0241

MMC

**DEFENDANT****IS NOT IN CUSTODY**

- 1) ☒ Has not been arrested, pending outcome this proceeding.  
 If not detained give date any prior summons  
 was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges
- } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer  
 been filed?

☐ Yes  
☐ No

} If "Yes"  
 give date  
 filed

DATE OF  
 ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED  
 TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**

☐ SUMMONS ☐ NO PROCESS\*

☒ WARRANT

Bail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\*Where defendant previously apprehended on complaint, no new summons  
 or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

1 KEVIN V. RYAN (CSBN 118321)  
United States Attorney

2 EUMI L. CHOI (WVBN 0722)  
3 Chief, Criminal Division

4 NAHLA RAJAN (CSBN 218838)  
Special Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055  
6 San Francisco, California 94102-3495  
7 Telephone: (415) 436-6838  
8 FAX: (415) 436-7234  
Email: nahla.rajan@usdoj.gov

9 Attorneys for Plaintiff

E-Filing

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 MAXIMILIANO LOPEZ-PEREZ,

18 Defendant.  
19

Criminal No.

VIOLATION: 8 U.S.C. § 1326 – Illegal  
Reentry by an Alien After Deportation

SAN FRANCISCO VENUE

21 INDICTMENT

22 The Grand Jury charges:

23 On or about January 27, 2006, the defendant,

24 MAXIMILIANO LOPEZ-PEREZ,

25 an alien, having been previously excluded, deported and removed from the United States to  
26 Mexico, was found in the Northern District of California, the Attorney General of the United  
27 States or the Secretary for the Department of Homeland Security not having expressly consented  
28 to a reapplication by the defendant for admission into the United States, in violation of Title 8,

INDICTMENT

1 United States Code, Section 1326.

2  
3 DATED: *April 6, 2006*

A TRUE BILL.

4  
5   
6 FOREPERSON

7 KEVIN V. RYAN  
8 United States Attorney

9   
10 Ioana Petrou  
11 Chief, Major Crimes Division

12  
13 (Approved as to form: )

14 SAUSA RAJAN  
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**U.S. District Court  
California Northern District (San Francisco)  
CRIMINAL DOCKET FOR CASE #: 3:06-cr-00241-MMC-1**

Case title: USA v. Lopez-Perez

Date Filed: 04/06/2006  
Date Terminated: 02/27/2008

Assigned to: Hon. Maxine M.  
Chesney

**Defendant (1)**

**Maximiliano Lopez-Perez**  
*TERMINATED: 02/27/2008*

represented by **Jodi Linker**  
Office of the Federal Public Defender  
450 Golden Gate Avenue  
19th Floor Federal Building – Box 36106  
San Francisco, CA 94102  
(415) 436-7700  
Fax: (415) 436-7706  
Email: Jodi\_Linker@fd.org  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or Community  
Defender Appointment*

**Pending Counts**

8:1326 Reentry by an Alien After  
Deportation  
(1)

**Disposition**

Five months in custody, one year supervised  
release, \$100 special assessment, no fine (see  
judgment for additional conditions)

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level  
(Terminated)**

None

**Complaints**

None

**Disposition**

**Plaintiff**

USA

represented by **Nahla Rajan**  
Office of the U.S. Attorney  
450 Golden Gate Ave.  
Invalid email address as of 10/16/06  
San Francisco, CA 94102  
(415)436-7200  
Email: invalidaddress@invalidaddress.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
04/06/2006	<u>1</u>	INDICTMENT as to Maximiliano Lopez-Perez (1) count(s) 1. (rhw, COURT STAFF) (Filed on 4/6/2006) (Entered: 04/06/2006)
04/06/2006		CASE DESIGNATED for Electronic Filing. (Entered: 04/06/2006)
04/06/2006		No Bail Warrant Issued as to Maximiliano Lopez-Perez. (rhw, COURT STAFF) (Filed on 4/6/2006) (Entered: 04/07/2006)
12/06/2007	<u>2</u>	Minute Entry for proceedings held before Judge Magistrate Judge Maria-Elena James:Arraignment as to Maximiliano Lopez-Perez (1) Count 1 held on 12/6/2007, Initial Appearance as to Maximiliano Lopez-Perez held on 12/6/2007, Added attorney Jodi Linker for Maximiliano Lopez-Perez. Detention Hearing set for 12/11/2007 09:30 AM before Magistrate Judge Maria-Elena James. (Tape #10:58-11:01.) (vlk, COURT STAFF) (Filed on 12/6/2007) (Entered: 12/11/2007)
12/11/2007	<u>3</u>	Minute Entry for proceedings held before Judge Magistrate Judge Maria-Elena James:Detention Hearing as to Maximiliano Lopez-Perez held on 12/11/2007 ; Trial Setting Hearing set for 1/9/2008 02:30 PM before Hon. Maxine M. Chesney. (Tape #9:41-9:43.) (rhw, COURT STAFF) (Filed on 12/11/2007) (Entered: 12/13/2007)
12/14/2007	<u>4</u>	CLERK'S NOTICE Continuance of Hearing Status Conference re-set for 1/9/2008 09:00 AM in Courtroom 7, 19th Floor, San Francisco. Trial Setting Hearing re-set for 1/9/2008 09:00 AM in Courtroom 7, 19th Floor, San Francisco before Hon. Maxine M. Chesney. (tl, COURT STAFF) (Filed on 12/14/2007) (Entered: 12/14/2007)
01/08/2008	<u>5</u>	STATUS REPORT <i>UNITED STATES STATUS MEMORANDUM FOR INITIAL</i> by Maximiliano Lopez-Perez (Sambat, Albert) (Filed on 1/8/2008) (Entered: 01/08/2008)
01/09/2008	<u>6</u>	Minute Entry for proceedings held before Judge Hon. Maxine M. Chesney:Status Conference as to Maximiliano Lopez-Perez held on 1/9/2008 Status Conference set for 1/16/2008 02:30 PM in Courtroom 7, 19th Floor, San Francisco. (Court Reporter Sahar McVickar.) (tl, COURT STAFF) (Filed on 1/9/2008) (Entered: 01/09/2008)
01/09/2008	7	Sealed Document as to Maximiliano Lopez-Perez (rhw, COURT STAFF) (Filed on 1/9/2008) (Entered: 01/17/2008)
01/09/2008	8	Sealed Document as to Maximiliano Lopez-Perez (rhw, COURT STAFF) (Filed on 1/9/2008) (Entered: 01/17/2008)
01/09/2008	9	Sealed Document as to Maximiliano Lopez-Perez (rhw, COURT STAFF) (Filed on 1/9/2008) (Entered: 01/17/2008)
01/09/2008	10	Sealed Document as to Maximiliano Lopez-Perez (rhw, COURT STAFF) (Filed on 1/9/2008) (Entered: 01/17/2008)
01/09/2008	11	Sealed Document as to Maximiliano Lopez-Perez (rhw, COURT STAFF) (Filed on 1/9/2008) (Entered: 01/17/2008)
01/16/2008	<u>12</u>	Minute Entry for proceedings held before Judge Hon. Maxine M. Chesney:Status Conference as to Maximiliano Lopez-Perez held on 1/16/2008 Trial Setting Hearing set for 2/27/2008 02:30 PM in Courtroom 7, 19th Floor, San Francisco before Hon. Maxine M. Chesney. Change of Plea Hearing set for 2/27/2008 02:30 PM in Courtroom 7, 19th Floor, San Francisco before Hon. Maxine M. Chesney. (Court Reporter Margo Gurule.) (tl, COURT STAFF) (Filed on 1/16/2008) (Entered: 01/17/2008)
02/27/2008	13	PLEA AGREEMENT as to Maximiliano Lopez-Perez (tl, COURT STAFF) (Filed on 2/27/2008) (Entered: 02/27/2008)
02/27/2008	<u>14</u>	Minute Entry for proceedings held before Judge Hon. Maxine M. Chesney:Plea and Sentence Hearing held on 2/27/2008 for Maximiliano Lopez-Perez (1), Count(s) 1, Five months in custody, one year supervised release, \$100 special



		assessment, no fine (see judgment for additional conditions)., Plea entered by Maximiliano Lopez-Perez (1) Guilty Count 1Maximiliano Lopez-Perez (1) Sentenced on Count 1Maximiliano Lopez-Perez (1) Guilty Count 1. (Court Reporter Connie Kuhl.) (tl, COURT STAFF) (Filed on 2/27/2008) (Entered: 02/27/2008)
02/29/2008	<u>15</u>	Sealing Order – General Order 54 as to Maximiliano Lopez-Perez.. Signed by Judge Hon. Maxine M. Chesney on 2/29/2008. (tl, COURT STAFF) (Filed on 2/29/2008) (Entered: 02/29/2008)
02/29/2008	<u>16</u>	JUDGMENT in a Criminal Case as to Maximiliano Lopez-Perez. Signed by Judge Hon. Maxine M. Chesney on 2/29/2008. (tl, COURT STAFF) (Filed on 2/29/2008) (Entered: 02/29/2008)



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIACRIMINAL PRETRIAL MINUTES**E-Filing**Date: **FEB 27 2008**Case No. CR-06-0241 MMCJUDGE: **Maxine M. Chesney**MAXMILLIANO LOPEZ-PEREZ \*

DEFENDANT

Present (✓) Not Present ( ) In Custody (✓)

AL SAMBAT

U.S. ATTORNEY

JODI LINKER

ATTORNEY FOR DEFENDANT

**TRACY LUCERO**

Deputy Clerk: \_\_\_\_\_

Reporter: CONNIE KuhlPROCEEDINGS

REASON FOR HEARING

CHANGE OF PLEA - HELD.Δ PLED GUILTY TO ONE-COUNT INDICTMENT.  
PLEA AGREEMENT FILED w/ COURT.

RESULT OF HEARING

SENTENCE:5 MONTHS IN CUSTODY; 1 YEAR SUPERVISED  
RELEASE, NO FINE, \$100<sup>00</sup> SPECIAL ASSESSMENT.  
(SEE JUDGMENT FOR ADDITIONAL CONDITIONS).USPO - ANN SEARLES\* SPANISH INTERPRETER - MELINDA BASKER

Case continued to \_\_\_\_\_ for Further Status.

Case continued to \_\_\_\_\_ for Motions.

(Motion due \_\_\_\_\_, Opposition due \_\_\_\_\_, Reply Due \_\_\_\_\_)

Case continued to \_\_\_\_\_ for Pretrial.

Case continued to \_\_\_\_\_ for Trial. (Court/Jury: \_\_\_\_\_ day(s))

Case continued to \_\_\_\_\_ for \_\_\_\_\_

EXCLUDABLE DELAY (Category) \_\_\_\_\_ Begins \_\_\_\_\_ Ends \_\_\_\_\_